

## REMARKS

Claims 1 – 34 are pending; claims 12 – 19 are allowable, claim 34 is objected to for depending from a rejected independent claim, and claims 1 – 11, and 20 – 33 are rejected. The Examiner has rejected claims 5, 6, 20 – 29 and 31 under 35 U.S.C. §112, second paragraph for being indefinite. The Examiner has also rejected claims 1 – 6, 9 – 11, 20 – 23, 25 – 28 and 30 – 33 under 35 U.S.C. §102(b) for being anticipated by U.S. Patents 5,819,961 issued to Harris (Harris) and 3,069,021 issued to Gray (Gray). The Examiner has also rejected claims 7, 8, 24 and 29 under 35 U.S.C. §103(a) for being obvious over Harris, Gray and U.S. Patent 5,934,628 issued to Bosnakovic (Bosnakovic). The Examiner has objected to the specification for minor informalities.

The applicant has amended claims 5, 6, and 31 to address the Examiner's rejection under 35 U.S.C. §112, second paragraph, and claim 30 to address the Examiner's rejection under 35 U.S.C. §102(b). The applicant has amended claims 32 and 34 to conform them with claim 30 as amended. The applicant has cancelled claims 20 – 29 and 33. The applicant respectfully disagrees with the Examiner's rejection of claims 1 – 11 as originally filed and claims 30 – 32 and 34 as amended herein, and believes the claims 1 – 11, 30 – 32 and 34 are in condition for allowance for the reasons discussed below.

### **Rejection Of Claims 1 And 30 Under §102(b)**

The applicant respectfully disagrees with the Examiner's rejection of claims 1 – 11, 30 – 32 and 34 because Gray and Harris fail to disclose or claim all the limitations of claims 1 and 30. More specifically, Gray fails to disclose or claim a biasing member operable to simultaneously move an arm and a leg of a collapsible support as originally claimed in applicant's claim 1. Gray and Harris fail to disclose or claim simultaneously extending an arm and a leg of a collapsible support with an actuating member as claimed in applicant's claim 30 amended herein.

### **Rejection Of Claim 1 In View Of Gray**

Claim 1 as originally filed claims an extendable and retractable support that comprises a body, an arm and leg attached to the body and extendable to an extended position, and a biasing member operable to simultaneously move the arm and leg. In one embodiment, the biasing member is a spring (21 in FIG. 3) that simultaneously biases the arm and leg (12 and 14, respectively, in FIGS. 1 – 3) toward a retracted position (FIG. 2) where the arms and legs are substantially parallel to a longitudinal axis of the body of the support. Applicant's specification, paragraph 28 lines 24 – 31. The spring 21 is disposed between an inner tube (42 in FIG. 3) and outer tube (43 in FIG. 3) of the body and urges movement of the inner tube 42 relative to the outer tube 43. The arm 12 and leg 14 are each connected to the outer tube 43 via fixed rings (26 and 32, respectively, in FIGS. 1 – 4) and to the inner tube 42 via moving rings (24 and 30, respectively, in FIGS. 1 – 3 and 5). Because the arm 12 and leg 14 are each connected to the inner tube 42 and outer tube 43, movement of the inner tube 42 relative to the outer tube 43, urged by the biasing member, causes the arm 12 and leg 14 to simultaneously move to an extended or retracted position.

In contrast, Gray fails to disclose or claim a biasing member operable to simultaneously move the supporting members (12 in FIGS. 1 – 3, 6 and 7) and the spreader rods (16 in FIGS. 1 – 4 and 8). The supporting members 12 are connected to a locking sleeve (60 in FIGS. 1, 3 and 6) that is slidably disposed over a column (2 in FIGS. 1 – 6). To extend and retract the supporting members 12, one slides the locking sleeve 60 relative to the column 2. Gray; col. 3; lines 13 – 34. The spreader rods 16 are connected to a spider member (36 in FIGS. 1, 3 and 5) that is also slidably disposed over the column 2. To retain the spreader rods 16 in a desired extended position, one slides the spider member 36 to the location on the column 2 that provides the desired rod position and then slides the locking sleeve member (44 in FIGS. 3 and 5) to the spider 36 to threadingly engage the spider 36. Gray; col. 2; lines 52 – 69.

Gray does not disclose or claim a device or mechanism that allows one to move the supporting members 12 and spreader rods 16 simultaneously. Consequently, to simultaneously move the supporting members 12 and spreader rods 16, one has to move the locking sleeve 60 with one hand, and the spider member 36 and locking sleeve member 44 with the other hand at the same time.

Therefore Gray fails to disclose or claim a retractable and extendable support that comprises a biasing member operable to simultaneously move an arm and a leg.

### **Rejection Of Claim 30 In View Of Gray And Harris**

Claim 30 as amended claims simultaneously extending an arm and a leg to an extended position by moving an actuating member (34 in FIGS. 1 – 3 and 6). In one embodiment, the actuating member 34 can be used to extend the arm and leg by sliding the actuating member 34 inside the outer tube 43 and toward the inner tube 42. As discussed above in the section titled “Rejection Of Claim 1 In View Of Gray”, the arm 12 and leg 14 are each connected to the inner tube 42 and outer tube 43. Consequently, moving the actuating member causes the inner tube 42 to move relative to the outer tube 43, and thus causes the arm 12 and leg 14 to simultaneously move to an extended position.

In contrast, Gray and Harris fail to disclose or claim moving an actuating member to simultaneously extend an arm and a leg to an extended position.

As discussed above in the section titled “Rejection Of Claim 1 In View Of Gray”, Gray does not disclose or claim a biasing member. Furthermore, Gray does not disclose or claim an actuating member operable to simultaneously extend the supporting members 12 and the spreader rods 16. Instead, one has to move the locking sleeve 60 with one hand, and the spider member 36 and locking sleeve member 44 with the other hand at the same time to simultaneously move the supporting members 12 and the spreader rods 16.

Harris discloses a support that includes an upper vertical support (22 in FIGS. 1, 2 and 5) hingedly attached to a lower vertical support (24 in FIGS. 1, 2 and 5).

Shoulders (46 and 62 in FIGS. 1 and 5) and a hanger extension (76 in FIGS. 2 and 5) are each attached to the upper vertical support 22 via an upper sleeve (36 in FIGS. 1, 2 and 5). Legs (82 in FIGS. 1, 2 and 5) are attached to the lower vertical support 24 via a lower sleeve 80. To extend the shoulders 46 and 62, and the hanger extension 76, one slides the upper sleeve 36 toward the top of the support 22. To extend the legs 82, one slides the lower sleeve 80 toward the bottom of the support 24. Harris, col. 4; lines 18 – 34.

Harris does not disclose or claim a device or mechanism that allows one to move the hanger extension 76, shoulders 46 and 62 and legs 82 simultaneously. Consequently, to simultaneously move the hanger extension 76, shoulders 46 and 62 and legs 82, one has to move the upper sleeve 36 with one hand, and the lower sleeve 80 with the other hand at the same time.

Therefore Gray and Harris fail to disclose or claim simultaneously extending an arm and a leg to an extended position by moving an actuating member.

### **Conclusion**

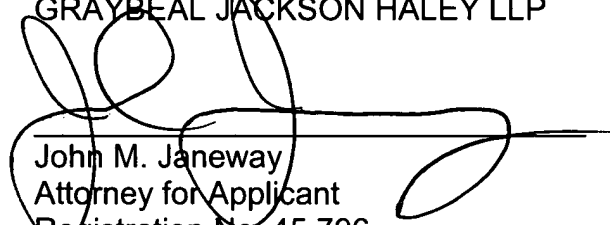
Claims 1 and 30 are believed to be allowable over Harris and Gray, as well as claims 2 – 11, 31, 32 and 34 because of their respective dependency from claims 1 and 30. Applicant respectfully requests the Examiner withdraw his rejection of claims 1 – 11, 30 – 32 and 34 in view of applicant's amendments and remarks and issue an allowance for these claims.

Should any additional fees be required because of this amendment, please charge them to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicant's attorney, John Janeway, at (425) 455-5575.

DATED this 11<sup>th</sup> day of December, 2002.

Respectfully submitted,  
GRAYBEAL JACKSON HALEY LLP



John M. Janeway  
Attorney for Applicant  
Registration No. 45,796  
155-108th Avenue N.E., Ste. 350  
Bellevue, WA 98004-5973  
(425) 455-5575

Enclosures: Return Receipt postcard

## APPENDIX A

### Marked-Up Version Of Claims 5, 6, 30 – 32 and 34 Reflecting The Condition Of The Claims Prior To Entry Of The Amendment And The Changes Incorporated In The Amended Claims

5. The support of claim 4 wherein the retracted position includes the legs positioned substantially parallel to the longitudinal axis.
6. The support of claim 4 wherein the retracted position includes the arms and the legs positioned substantially parallel to the longitudinal axis.
30. A method for support comprising:
  - simultaneously extending moving an arm of an arm attachment assembly and  
a leg of a leg attachment assembly to an extended position by moving an  
actuating member; attached to a body and a leg attachment assembly  
attached to the body wherein an arm and a leg are moved to an extended  
position;
  - locking the arm and leg in the extended position; and
  - placing the leg and a body of the support on a surface such that the arm is  
suspended above the surface.
31. The method of claim 30 further comprising moving the actuating member to  
simultaneously retract the arm the arm attachment assembly and the leg  
attachment assembly wherein an arm and leg are moved to a retracted position.
32. The method of claim 30 wherein ~~the moving~~simultaneously extending an the arm  
attachment assembly ~~and the leg attachment assembly~~ includes moving a  
moving arm ring and a moving leg ring toward a respective fixed arm ring and  
fixed leg ring.
34. The method of claim 30 wherein locking the arm and leg in ~~an~~the extended  
position includes rotating ~~an~~the actuating member relative to ~~the~~a body of the  
support.

**Marked-Up Version Of Paragraphs 19 and 32 In The Specification Reflecting The  
Condition Of The Paragraphs Prior To Entry Of The Amendment And The  
Changes Incorporated In The Amended Paragraphs**

**Marked-up paragraph number 19 on page 5:**

In this and certain other embodiments, the uncollapsed state includes the arms 12 and legs 14 in a fully extended position, and the collapsed state includes the arm 12 and legs 14 in a retracted position. However, the uncollapsed state can include the arms 12 and legs 14 in more than one extended position as desired. For example, the uncollapsed state can also include the arms 12 and legs 14 extended to a position between the retracted position and the fully extended position. In a fully extended position, the arms 12 typically extend from the moving arm ring 26 in a direction substantially perpendicular to a longitudinal axis 28 of the body 16, and the legs 14 typically extend from the moving leg ring 32 in a direction approximately 35° from the longitudinal axis 28. However, in other embodiments, the legs 14 can extend at an angle more or less than 35°. By varying the legs' angle of extension, the stability of the collapsible support in the upright position can be varied to accommodate items that require more or less force to support. In still other embodiments, the arms 12 can extend at an angle more or less than 90° and the legs 14 can extend at an angle approximately 35°. In yet other embodiments, the arms 12 can extend at an angle more or less than 90° and the legs 14 can extend at an angle more or less than approximately 35°. In a retracted position, the arms 12 and legs 14 typically extend from their respective moving rings 26 and 32 in a direction substantially parallel to the longitudinal axis 28 and adjacent the body 16, but can extend in a direction that is not substantially parallel to the longitudinal axis 28. If more than one extended positions forms the uncollapsed state, the arms 12 and legs 14 can respectively extend at angles 45° and 10°, 60° and 20° or any other desired angles from the longitudinal axis 28.

**Marked-up paragraph number 33 on page 12:**

In this and certain other embodiments, the moving arm ring 26 includes a first hole 94 into which the attachment fastener 54 is inserted, a second hole 96 that threadingly receives the attachment fastener 54, and two arm attachment portions 98 to which respective arms 12 are attached. Inserted through the first hole 94 in the moving arm ring 26 and two diametrically opposed holes 100 in the inner tube 42, the attachment fastener 54 threadingly engages the second hole 96 in the moving arm ring 26 and thereby attaches the moving arm ring 26 to the inner tube 42. The attachment fastener 54 is also inserted through the two outer-tube slots 56 in the outer tube 43 that are sized to permit the attachment fastener 54 to move along the longitudinal axis 28 of FIGS. 1 – 3 — into and out of the cross-sectional plane. After passing through the inner and outer tubes 42 and 43, the attachment fastener 54 is turned to force the two halves 101a and 101b of the moving arm ring 26 together. In other embodiments, other conventional fastening techniques such as press fitting a pin into the inner tube 42 and moving arm ring 26, riveting, or other desired techniques can be used to attach the moving arm ring 26 to the inner tube 42. To allow the moving arm ring 26 to move relative to the outer tube 2843 as the inner tube 42 moves along the longitudinal axis 28, the two halves 101a and 101b contact each other and prevent the halves 101a and 101b from clamping down on the outer tube 43. When the inner tube 42 moves relative to the outer tube 43, the attachment fastener 54 transmits this movement to the moving arm ring 26 that also moves relative to the outer tube 43. Consequently, the moving arm ring 26 moves relative to the fixed arm ring 24 in FIGS. 1 – 3 and depending on the direction of the movement either extends or retracts the arms 12.